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June 28, 2006

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Application No. : 2,471,183
Owner : THOMAS & BETTS INTERNATIONAL, INC.
Title : ERGONOMIC CABLE TIE INSTALLATION TOOL
Classification : B21F 9/02 (2006.01)
Your File No. : HWR/sg/30300
Examiner : Javier Jorge

YOU ARE HEREBY NOTIFIED OF A REQUISITION BY THE EXAMINER IN ACCORDANCE WITH SUBSECTION 30(2) OF THE *PATENT RULES*. IN ORDER TO AVOID ABANDONMENT UNDER PARAGRAPH 73(1)(A) OF THE *PATENT ACT*, A WRITTEN REPLY MUST BE RECEIVED WITHIN 6 MONTHS AFTER THE ABOVE DATE.

This application has been examined taking into account applicant's correspondence regarding the prior art received in this office on October 7, 2005.

The number of claims in this application is 26.

The examiner has identified the following defects in the application:

The search of the prior art has revealed the following:

Reference Applied:

United States Patent

4,047,545

September 13, 1977

Paradis

Paradis discloses an installation tool for tensioning cable tie fasteners. The tool includes a trigger mechanism trigger to transmit a force (Ft) through a trigger link (13t) to the actuator lever (15) that is pivotally mounted within the handle (16) of the tool. The upper portion of the actuator lever (15) is pivotally connected to the toggle linkages (14), which are pivotally connected to the tension mechanism (11).

Claims 1 and 2 do not comply with paragraph 28.2(1)(b) of the *Patent Act*. Paradis disclosed the claimed subject matter before the claim date.

Claims 7, 15, and 16 do not comply with section 28.3 of the *Patent Act*. The subject matter of these claims would have been obvious on the claim date to a person skilled in the art or science to which they pertain having regard to Paradis.

Paradis discloses the use of spring (32s) which controls the countervailing force applied to the toggle assembly. This arrangement achieves precise control over tension and a high degree of mechanical stability. The toggle assembly is connected to the trigger mechanism which resists the trigger assembly from the closed position.

The use of a return spring as per the above claims would have been obvious to person skilled in the art.

Claims 22 to 26 do not comply with section 28.3 of the *Patent Act*. The subject matter of these claims would have been obvious on the claim date to a person skilled in the art or science to which they pertain having regard to Paradis.

Method claims 22 and 23 define a tool which is taught by Paradis. The operation of this known tool as per the above claims would have been obvious to person skilled in the art for the above claims generally describe the simple and most common steps in operating such tools.

Claims 15 and 18 are indefinite and do not comply with subsection 27(4) of the *Patent Act*. The following expressions have no antecedents: "said outer trigger member" (claim 15) and "said finger member" (claim 18).

A statement in an application, such as found on page 12 and page 26 which incorporates by reference any other document, does not comply with subsection 81(1) of the *Patent Rules*.

In accordance with subsection 81(2) of the *Patent Rules*, all documents referred to in the description of an application must be available to the public. Reference to the document on page 26, line 9 and page 26, line 11 must be deleted or replaced by its corresponding patent number or publication number.

In view of the foregoing defects, the applicant is requisitioned, under subsection 30(2) of the *Patent Rules*, to amend the application in order to comply with the *Patent Act* and the *Patent Rules* or to provide arguments as to why the application does comply.

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Under section 34 of the *Patent Rules*, any amendment made in response to this requisition must be accompanied by a statement explaining the nature thereof, and how it corrects each of the above identified defects.

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